

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DANIEL LEVIN, ET AL.,

No. 3:14-cv-03352-CRB

Plaintiffs,

**ORDER RE MOTION FOR  
CLARIFICATION**

v.


CITY AND COUNTY OF SAN FRANCISCO,

Defendant.

The Court is in receipt of Plaintiffs' Motion for Clarification (dkt. 72) regarding this Court's Argument Order (dkt. 70). As all parties are aware, the bench trial scheduled to begin October 6, 2014, will address only the facial challenge to the Ordinance. Hearing Trans. (dkt. 61) at 8–9. The Argument Order instructs the parties that they should come prepared to discuss the legal and factual bases of the Ordinance as a regulatory taking within a facial challenge (dkt. 70). See Penn Cent. Transp. Co. v. City of New York, 438 U.S. 104 (1978).

**IT IS SO ORDERED.**

Dated: October 3, 2014

  
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CHARLES R. BREYER  
UNITED STATES DISTRICT JUDGE